

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CHRISTY L. CARLSON,)	4:09CV3213
)	
Plaintiff,)	
v.)	MEMORANDUM
)	AND ORDER
BOARD OF REGENTS OF THE)	
UNIVERSITY OF NEBRASKA and)	
DR. KEN HUBBARD,)	
)	
Defendants.)	

On December 7, 2010, the court entered judgment in accordance with the jury's verdict and awarded the plaintiff, Christy L. Carlson, damages in the amount of \$280,000.00 on her Title VII retaliation claim against the defendants, Board of Regents of the University of Nebraska and Dr. Ken Hubbard.¹ On December 13, 2010, the plaintiff filed a motion for an award of attorney's fees, together with supporting affidavits and a brief.² On December 28, 2010, counsel for the defendants advised the court by email that "[w]e do not have any objections to the plaintiff's showing of the hours expended or Ms. Shiffermiller's fee rate. . . . [and] agree that the requested fee of \$20,037.40 in attorney's fees is reasonable."

¹ On December 30, 2010, the defendants filed a renewed motion for judgment as a matter of law or, in the alternative, for a new trial. That motion remains pending.

² Although the plaintiff indicates that the motion is filed pursuant to [42 U.S.C. § 1988\(b\)](#), the correct statutory provision is [42 U.S.C. § 2000e-5\(k\)](#), which states: "In any action or proceeding under this subchapter the court, in its discretion, may allow the prevailing party . . . a reasonable attorney's fee (including expert fees) as part of the costs," The plaintiff's motion also references "costs in the amount of \$1,135.26." (Filing [62](#).) The clerk of the court taxed costs against the defendants for this amount on December 28, 2010. (See filing [70](#).)

The court finds that the requested attorney's fee award is fair and reasonable and concludes that the plaintiff's motion should be granted. Accordingly,

IT IS ORDERED:

1. The plaintiff's motion for attorney's fees (filing [62](#)) is granted.
2. Judgment shall be entered by separate document generally providing that the plaintiff is awarded attorney's fees in the amount of \$20,037.40.

January 4, 2011.

BY THE COURT:

Richard G. Kopf
United States District Judge